

Last revised 8/1/15

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:

Natasha McNeil

Case No.: 16-18999

Judge: CMG

Chapter: 13

Debtor(s)

Chapter 13 Plan and Motions

☒ Original

☒ Modified/Notice Required

☒ Discharge Sought

☐ Motions Included

☐ Modified/No Notice Required

☐ No Discharge Sought

Date: 12/21/16

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS WILL BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 300 per month to the Chapter 13 Trustee, starting on 2/1/16 for approximately 60 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☒ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property

Description:

Proposed date for completion: _____

- ☐ Refinance of real property:

Description:

Proposed date for completion: _____

- ☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

- e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
A. Russo, Trustee L. Sheller	commission atty fee	tbd 575

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
The Villages	condo lien	15000		15000	228

b. Modification

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
Santander	2008 Cadillac Escalade (already repossessed by the lender)	22975	12500

d. Secured Claims Unaffected by the Plan

ACC Consumer Finance (Nissan Altima)

The following secured claims are unaffected by the Plan:

e. Secured Claims to be Paid in Full Through the Plan:

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ _____ to be distributed *pro rata*
- ☐ Not less than _____ percent
- ☒ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis For Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim From Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee commissions
- 2) L. Sheller
- 3) Village @ Delaware
- 4) unsecured claims

d. Post-Petition Claims

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: _____.

Explain below **why** the plan is being modified:
remove Cenlar/NHMFA as loan mod resolved arrears

Explain below **how** the plan is being modified:
Loan mod increases mortgage payment by \$344 so plan is modified to lower trustee payment commensurate with same

Are Schedules I and J being filed simultaneously with this Modified Plan? ☒ Yes ☐ No

Part 10: Sign Here

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: 12/21/16

/s/ Laurence Sheller
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 12/21/16

/s/ Natasha McNeil
Debtor

Date: _____

Joint Debtor

Certificate of Notice Page 8 of 9
 United States Bankruptcy Court
 District of New Jersey

In re:
 Natasha McNeil
 Debtor

Case No. 16-18999-CMG
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 32

Date Rcvd: Dec 27, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 29, 2016.

db +Natasha McNeil, PO Box 22052, Trenton, NJ 08607-0052
 cr +Santander Consumer USA, Inc., P.O. Box 562088, Suite 900-North, Dallas, TX 75247,
 UNITED STATES 75356-2088
 cr +The Villages at Delaware Run Condo Asso, c/o Stark & Stark, PC, 993 Lenox Drive,
 Lawrenceville, NJ 08648-2316
 516166845 +ABC Bail Bonds, 215 W. Bridge St., Morrisville, PA 19067-7118
 516166846 #+ACC Consumer Finance, 196 Washland St., Doylestown, PA 18901-4040
 516166847 Capital Health, One Capital Health Way, Pennington, NJ 08534
 516166848 +Capital One, PO Box 30253, Salt Lake City, UT 84130-0253
 516189607 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
 516166849 +Cenlar, PO Box 77407, Trenton, NJ 08628-6407
 516166851 +Edward Feinberg, Esq., 249 E. Front St., Trenton, NJ 08611-1717
 516166854 +NJHMFA, 637 South Clinton Ave., Trenton, NJ 08611-1811
 516381748 Navient Solutions, Inc. on behalf of, Department of Education Loan Services, PO BOX 9635,
 Wilkes-Barre, PA 18773-9635
 516399331 +New Jersey Housing & Mortgage Finance Agency, Cenlar FSB, 425 Phillips BLVD,
 Ewing, NJ 08618-1430
 516166855 +Powers Kirn, 728 Marne Hwy, Suite 200, Moorestown, NJ 08057-3128
 516166856 +Pressler & Pressler, 7 Entin Rd., Parsippany, NJ 07054-5020
 516219691 +Santander Consumer USA Inc., P.O. Box 961245, Fort Worth, TX 76161-0244
 516218108 +Santander Consumer USA, Inc., P.O. Box 560284, Dallas, TX 75356-0284
 516166858 +Schachter & Portnoy, 3490 US Route 1, Princeton, NJ 08540-5920
 516166859 +Sheriff Mercer County, PO Box 8068, Trenton, NJ 08650-0068
 516166860 +Sleep and Wellness Center, 3836 Quakerbridge Road #206, Trenton, NJ 08619-1006
 516166861 +Stark & Stark, PO Box 5315, Princeton, NJ 08543-5315
 516166862 Superior Court Of New Jersey, PO Box 971, Trenton, NJ 08650
 516166863 +Superior Court of New Jersey - Mercer, Special Civil Part, PO Box 8068,
 Trenton, NJ 08650-0068
 516166864 +The Villages at Delaware Run, c/o Stark & Stark, PO Box 5315, Princeton, NJ 08543-5315

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Dec 28 2016 02:42:47 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
 smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Dec 28 2016 02:42:45 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 516319574 +E-mail/Text: bnc@atlasacq.com Dec 28 2016 02:42:03 Atlas Acquisitions LLC,
 Attn: Avi Schild, 294 Union St., Hackensack, NJ 07601-4303
 516402804 +E-mail/Text: bnc@atlasacq.com Dec 28 2016 02:42:02 Atlas Acquisitions LLC, 294 Union St.,
 Hackensack, NJ 07601-4303
 516166850 +E-mail/Text: bankruptcy@consumerportfolio.com Dec 28 2016 02:42:57
 Consumer Portfolio Service, PO Box 57071, Irvine, CA 92619-7071
 516166852 +E-mail/PDF: pa_dc_claims@navient.com Dec 27 2016 23:56:08 Navient, PO Box 9655,
 Wilkes Barre, PA 18773-9655
 516166853 +E-mail/PDF: bankruptcy@ncfsi.com Dec 28 2016 00:00:37 New Century Financial Services,
 110 S. Jefferson Rd., Suite 104, Whippany, NJ 07981-1038
 516166857 +E-mail/Text: cop@santander.us Dec 28 2016 02:42:36 Santander, 450 Penn St.,
 Reading, PA 19602-1011

TOTAL: 8

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
 While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 29, 2016

Signature: /s/Joseph Speetjens

District/off: 0312-3

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 32

Date Rcvd: Dec 27, 2016

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 22, 2016 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo docs@russotrustee.com
Allyson Virginia Cofran on behalf of Creditor The Villages at Delaware Run Condo Asso
acofran@stark-stark.com, dcrivaro@stark-stark.com;JHanley@stark-stark.com
Denise E. Carlon on behalf of Creditor New Jersey Housing & Mortgage Finance Agency
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
John R. Morton, Jr. on behalf of Creditor Santander Consumer USA, Inc.
mortonlaw.bccraig@verizon.net, donnal@mortoncraig.com;mhazlett@mortoncraig.com
Joseph H. Lemkin on behalf of Creditor The Villages at Delaware Run Condo Asso
jlemkin@stark-stark.com
Laurence R. Sheller on behalf of Debtor Natasha McNeil laurence.sheller@verizon.net
TOTAL: 7